

ORIGINAL

Lyle Robert Evans  
1296 Marian Lane  
Green Bay, WI 54304  
(414) 687-0722

May 8, 1996

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

RECEIVED

MAY - 9 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

BY HAND

Re: Petition for Rule Making  
Forestville, Wisconsin.

Dear Secretary Caton:

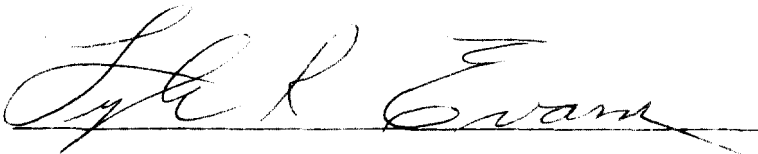
Transmitted herewith, is a signed original and five copies of a Petition for Rulemaking and related Engineering Statement.

This Petition requests amendment of 47 Code of Federal Regulations, §73.202(b), Table of Allotments, FM Broadcast Stations, to allot FM Channel 281A (104.1 MHz.) the Village of Forestville, Wisconsin, as that community's first local aural broadcast service.

A filing fee is not required with this submission.

Kindly direct this correspondence for proper processing.

Very truly yours,



Lyle R Evans,  
Petitioner

LRE/hs

Enc: Petition for Rule Making, signed original and five copies.

NO COPY TO BE FILED  
UNLESS

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MMB

SIGNED ORIGINAL

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

RECEIVED

MAY - 9 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

IN THE MATTER OF:

MM DOCKET NO:

AMENDMENT OF SECTION 73.202(B), ) RM  
TABLE OF ALLOTMENTS, )  
FM BROADCAST STATIONS. )  
(FORESTVILLE, WISCONSIN )

TO: CHIEF, ALLOCATIONS BRANCH,  
POLICY AND RULES DIVISION,  
MASS MEDIA BUREAU

PETITION FOR RULE MAKING

Lyle Robert Evans d/b/a the Radio Company hereby  
Petitions the Federal Communications Commission in  
Washington, D.C., to amend Table of FM Allotments, Section  
73.202(b) of the Commission's Rules and Regulations in the  
following manner:

<u>Community:</u>	<u>Existing:</u>	<u>Proposed:</u>
Forestville, WI	Ch. NONE	Ch. 281A

In support of this PETITION FOR RULE MAKING to  
allot FM Channel 281A to Forestville, Wisconsin, The Radio  
Company, the Petitioner, respectfully submits the  
Engineering Statement prepared by Lyle Robert Evans,  
Technical Consultant, attached hereto as Appendix 1.

Inasmuch as Forestville, Wisconsin, residents shall  
be provided a first local aural service, The Radio Company,

the Petitioner, concludes its Proposed Rule Making in the Public Interest.

The FM Channel 281A allotment petitioned by The Radio Company shall provide residents of Forestville, Wisconsin, and vicinity, an outlet for local self expression adding to area program diversity; truly in the public interest, convenience and necessity.

Forestville, Wisconsin (population 470), in Door County (population 25,690), per the 1990 Census, is an incorporated village.

The allotment of FM Channel 281A (104.1 MHz.) to the Village of Forestville, Wisconsin, is full accord with the Commission's Rules and Regulations, and Assignment policy.

If the Commission goes forward to Amend 47 Code of Federal Regulations §73.202(b), to allot FM Channel 281A to Forestville, Wisconsin, as Petitioned, The Radio Company shall immediately file an Application For Construction Permit For Commercial Broadcast Station (FCC Form 301), to activate FM Channel 281A, as allotted at Forestville.

Upon Commission "Grant" of such a Form 301 Application, The Radio Company shall promptly construct and subsequently license the permitted facility.

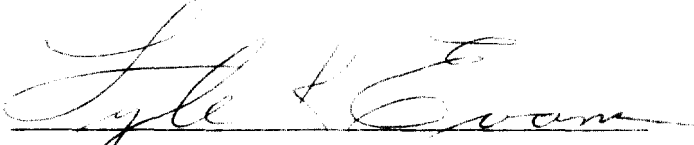
In accord with 47 Code of Federal Regulations §1.52, I, Lyle Robert Evans d/b/a The Radio Company,

hereby certify I have read this entire document, that to the best of my knowledge, information and belief it is true and correct, that there is good ground to support it, and that it is not interposed for delay.

Respectfully submitted,

THE RADIO COMPANY

May 08, 1996

A handwritten signature in cursive script, appearing to read "Lyle R. Evans", written over a horizontal line.

Lyle Robert Evans,  
Petitioner

Lyle Robert Evans d/b/a  
The Radio Company  
1296 Marian Lane  
Green Bay, Wisconsin 54304  
(414) 494-6310

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RULE MAKING PETITION; CONCLUDED

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

ENGINEERING STATEMENT

IN THE MATTER OF: ) MM DOCKET NO:  
AMENDMENT OF SECTION 73.202(B), ) RM  
TABLE OF ALLOTMENTS, )  
FM BROADCAST STATIONS, )  
(FORESTVILLE, WISCONSIN. )

TO: CHIEF, ALLOCATIONS BRANCH,  
POLICY AND RULES DIVISION,  
MASS MEDIA BUREAU.

PREPARED FOR:  
THE RADIO COMPANY  
MAY 08, 1996

PREPARED BY:  
LYLE ROBERT EVANS  
TECHNICAL CONSULTANT  
PACER TECHNICAL SERVICE, INC.  
1750 FREEDOM ROAD  
LITTLE CHUTE, WISCONSIN 54140  
(414) 687-0722

PETITIONER: The Radio Company  
Proposed FM CH. 281A Allotment  
Forestville, Wisconsin

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Prepared 05/08/96

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Village of Forestville, WI, Reference Coordinates
4. ATTACHMENT B; Channel 281A DISTANCE SEPARATION STUDY  
Forestville, WI, Restricted Allotment Coordinates

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TABLE OF CONTENTS; CONCLUDED

STATE OF WISCONSIN)

COUNTY OF OUTAGAMIE)

VILLAGE OF LITTLE CHUTE)

LYLE ROBERT EVANS, BEING FIRST DULY SWORN STATES:

THAT HE IS A ELECTRONIC COMMUNICATIONS TECHNICAL CONSULTANT  
WITH OFFICES AT 1750 FREEDOM ROAD, LITTLE CHUTE, WISCONSIN,  
54140;

THAT HIS QUALIFICATIONS AS AN EXPERT IN ELECTRONIC  
COMMUNICATIONS ENGINEERING ARE A MATTER OF RECORD WITH THE  
FEDERAL COMMUNICATIONS COMMISSION IN WASHINGTON, D.C.;

THAT HE HAS PREPARED NUMEROUS AM, FM, MICROWAVE RADIO,  
TELEVISION AND TRANSLATOR APPLICATIONS WHICH HAVE BEEN  
PROCESSED TO GRANT BY THE FEDERAL COMMUNICATIONS COMMISSION;

THAT THE FOREGOING TECHNICAL REPORT WAS PREPARED BY HIM, AND  
ALL CALCULATIONS AND/OR MEASUREMENTS AND EXHIBITS IN THE  
ACCOMPANYING REPORT WERE MADE BY HIM PERSONALLY OR UNDER  
HIS DIRECTION, AND THAT ALL FACTS CONTAINED HEREIN ARE TRUE OF  
HIS PERSONAL KNOWLEDGE OR BELIEF, AND ON SUCH STATEMENTS  
MADE ON BELIEF, THEY ARE BELIEVED TO BE TRUE AND CORRECT.



LYLE ROBERT EVANS, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 08'th DAY OF MAY, 1996



KEVIN J. KLEIN, NOTARY PUBLIC

DATE OF COMMISSION EXPIRATION: MARCH 14TH, 1999.

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

IN THE MATTER OF: ) MM DOCKET NO:

AMENDMENT OF SECTION 73.202(B), ) RM  
TABLE OF ALLOTMENTS, )  
FM BROADCAST STATIONS. )  
(FORESTVILLE, WISCONSIN )

TO: CHIEF, ALLOCATIONS BRANCH,  
POLICY AND RULES DIVISION,  
MASS MEDIA BUREAU

# ENGINEERING STATEMENT

This Engineering Statement concerns the above captioned Petition For Rule Making, to which this Statement is Appendix 1.

The Radio Company, the Petitioner, retained the services of Lyle Robert Evans, Technical Consultant, to conduct engineering studies and prepare necessary Statements and Attachments to support the Petition For Rule Making of The Radio Company to amend 47 Code of Federal Regulations §73.202(b), Table of FM Allotments, to allot FM Channel 281A to the Village of Forestville, Wisconsin, as that community's first aural broadcast service.

The Village of Forestville, Wisconsin, reference Geographic Coordinates, specified in the National Atlas of the United States of America, published by the United States Department of the Interior Geological Survey, are:



FORESTVILLE, WISCONSIN  
PROPOSED RULE MAKING  
AMENDMENT OF 47 C.F.R. §73.202(b); TABLE OF FM ALLOTMENTS  
FM CHANNEL 281A; 104.1 MHZ.  
PETITIONER: THE RADIO COMPANY

44°-41'-18" North Latitude, 87°-28'-48" West Longitude.

Attachment E-A to this Engineering Statement, an FM Channel 281A Distance Separation Study, with the Village of Forestville reference coordinates as base, sets forth all FM Broadcast Station assignments, applications and allotments, relating to an allotment of FM Channel 281A at Forestville, Wisconsin, with distance in kilometers and bearing in degrees True from the village reference coordinates.

Attachment E-A displays a "Short-Spacing" to authorized "FM Broadcast Station WECB, Seymour, Wisconsin, permitted to operate on Channel 282A; FCC File Number: BMPH-931230IC.

To allot FM Channel 281A to Forestville, Wisconsin, it is necessary to restrict the allotment location 1.30 kilometers (0.81 mile) distant, at a bearing of 90.0 degrees True from the village reference coordinates, to geographic coordinates: 44°-41'-18" North Latitude, 87°-27'-49" West Longitude.

Attachment "E-B" to this Statement, an FM Channel 281A Distance Separation Study with the Forestville, Wisconsin, Channel 281A, specified restricted allotment

FORESTVILLE, WISCONSIN  
PROPOSED RULE MAKING  
AMENDMENT OF 47 C.F.R. §73.202(b); TABLE OF FM ALLOTMENTS  
FM CHANNEL 281A; 104.1 MHZ.  
PETITIONER: THE RADIO COMaANY

as base, displays the allotment of FM Channel 281A to Forestville, Wisconsin, in complete compliance with all applicable minimum distance separation requirements set forth in 47 Code of Federal Regulations, §73.207.

The most distant point on the Forestville, Wisconsin, Corporate Boundary ("Village-Limits") from the FM Channel 281A proposed restricted allotment coordinates was located on United States Geological Survey 7.5 Minute Series (Topographic) Map, titled: Forestville Quadrangle, Wisconsin (dated 1982).

The geographic coordinates of this point determined as: 44°-41'-49" North Latitude, 87°-29'-04" West Longitude, and distance and bearing from the Forestville, Wisconsin, Channel 281A restricted allotment coordinates, calculated to be 1.91 kilometers (1.19 miles) at 300.1 degrees True.

The F(50,50) 70.0 dBu (3.16 mV/m) predicted "Principal Community Contour" of a typical Class A FM Broadcast Station radiating 6.00 kilowatts from an antenna radiation center height of 100.0 meters extends a distance of 16.5 kilometers (10.25 miles).

Many transmitter sites exist from which the requisite "Principal Community" coverage can be provided to

FORESTVILLE, WISCONSIN  
PROPOSED RULE MAKING  
AMENDMENT OF 47 C.F.R. §73.202(b); TABLE OF FM ALLOTMENTS  
FM CHANNEL 281A; 104.1 MHZ.  
PETITIONER: THE RADIO COMPANY

the entire Village of Forestville, Wisconsin.

CONCLUSION

Allotment of FM Channel 281A to Forestville, Wisconsin, can be accomplished with no channel substitutions.

No multiple community "tinkering with the table" is required to allot FM Channel 281A at Forestville, Wisconsin.

The Radio Company's proposed Amendment of 47 Code of Federal Regulations §73.202(b), Table of FM Allotments, shall provide residents of Forestville, Wisconsin, and vicinity, a first local aural broadcast transmission service.

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FORESTVILLE, WISCONSIN  
PROPOSED RULE MAKING  
AMENDMENT OF 47 C.F.R. §73.202(b); TABLE OF FM ALLOTMENTS  
FM CHANNEL 281A; 104.1 MHZ.  
PETITIONER: THE RADIO COMPANY

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lyle R. Evans", written over a horizontal line.

Lyle Robert Evans  
Technical Consultant to:  
The Radio Company

May 08, 1996

Lyle Robert Evans  
Technical Consultant  
Pacer Technical Service, Inc.  
1750 Freedom Road  
Little Chute, Wisconsin 54140  
(414) 687-0722

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ENGINEERING STATEMENT; CONCLUDED

CHANNEL 281A DISTANCE SEPARATION STUDY

LOCATION: FORESTVILLE, WISCONSIN  
 SERVICE: COMMERCIAL FM  
 CHANNEL: 281  
 FREQUENCY: 104.1 MHZ.  
 ZONE: II  
 CLASS: A  
 COORDINATES: 44°-41'-18" N.L., 87°-28'-48" W.L. (VILLAGE REFERENCE COORDINATES)  
 PETITIONER: THE RADIO COMPANY  
 DATE: MAY 08, 1996

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAB(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WTCM-FM LIC	TRAVERSE CITY MI	BLH-870203KB	278C 103.5	100.00 302.00	44-27-31 85-42-02	99.6	143.63 48.63	95.0 CLEAR
WHYB LIC	MENOMINEE MI	BLH-951106KC	279C3 103.7	7.00 91.00	45-04-00 87-39-55	340.9	44.52 2.52	42.0 CLEAR
WVBO CP	WINNECONNE WI	BPH-950601IC	280C3 103.9	25.00 99.00	44-02-47 88-31-44	229.8	109.90 20.90	89.0 CLEAR
WMZK LIC	MERRILL WI	BLH-911011KDJ	281C3 104.1	13.00 136.00	45-06-14 89-43-05	285.5	182.72 40.72	142.0 CLEAR
WECB CP	SEYMOUR WI	BMPH-931230IC	282A 104.3	5.00 110.00	44-32-29 88-20-50	223.8	70.75 -1.25	72.0 SHORT
WXER LIC	PLYMOUTH WI	BLH-920706KD	283 104.5	6.00 100.00	43-43-32 88-03-07	203.3	116.34 85.34	31.0 CLEAR
WYKX CP	ESCANABA MI	BPH-870302NI	284C 104.7	100.00 305.00	45-52-40 87-28-00	359.9	132.19 37.19	95.0 CLEAR

===== END FM CHANNEL 281A DISTANCE SEPARATION STUDY =====

ENGINEERING STATEMENT, ATTACHMENT E-A; CONCLUDED

ATTACHMENT E-B

Page 1 of 1

CHANNEL 281A DISTANCE SEPARATION STUDY

LOCATION: FORESTVILLE, WISCONSIN  
SERVICE: COMMERCIAL FM  
CHANNEL: 281  
FREQUENCY: 104.1 MHZ.  
ZONE: II  
CLASS: A  
COORDINATES: 44°-41'-18" N.L., 87°-27'-49" W.L. (ILLUSTRATIVE SITE COORDINATES)  
PETITIONER: THE RADIO COMPANY  
DATE: MAY 08, 1996

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) EAH(MT)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WTCM-FM LIC	TRAVERSE CITY MI	BLH-870203KB	278C 103.5	100.00 302.00	44-27-31 85-42-02	99.7	142.35 47.35	95.0 CLEAR
WHYB LIC	MENOMINEE MI	BLH-951106KC	279C3 103.7	7.00 91.00	45-04-00 87-39-55	339.4	44.96 2.96	42.0 CLEAR
WVBO CP	WINNECONNE WI	BPH-950601IC	280C3 103.9	25.00 99.00	44-02-47 88-31-44	229.8	110.90 21.90	89.0 CLEAR
WMZK LIC	MERRILL WI	BLH-911011KDJ	281C3 104.1	13.00 136.00	45-06-14 89-43-05	285.4	183.97 41.97	142.0 CLEAR
WECB CP	SEYMOUR WI	BMPH-931230IC	282A 104.3	5.00 110.00	44-32-29 88-20-50	223.8	72.01 0.01	72.0 CLAER
WXER LIC	PLYMOUTH WI	BLH-920706KD	283 104.5	6.00 100.00	43-43-32 88-03-07	203.9	116.86 85.86	31.0 CLEAR
WYKX CP	ESCANABA MI	BPH-870302NI	284C 104.7	100.00 305.00	45-52-40 87-28-00	359.9	132.19 37.19	95.0 CLEAR

===== END FM CHANNEL 281A DISTANCE SEPARATION STUDY =====

ENGINEERING STATEMENT, ATTACHMENT E-B; CONCLUDED